



RESPONSES TO INFORMATION REQUESTS (RIRs)

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14 November 2003

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Philippines: Whether a woman who was born in the Philippines in 1952 and who obtained Indonesian citizenship in 1983 following a marriage to an Indonesian citizen and an extended period of residence in Indonesia can recover her Filipino citizenship; whether she would automatically lose her Filipino citizenship because she acquired another; procedures and/or conditions for reacquiring Filipino citizenship
Research Directorate, Immigration and Refugee Board, Ottawa

The Minister and Consul General of the Embassy of the Philippines, in Ottawa, sent the following background information regarding Philippine citizenship laws:

[U]ntil 17 September 2003, there was no dual citizenship law in the Philippines. This means that, prior to this date, a person ceases to become a Filipino citizen upon acquisition of the citizenship of another country.

Last 2 September 2003, the President of the Philippines signed into law the Citizenship Retention and Reacquisition Act of 2003. This Act took effect on 17 September 2003 and provides for the retention of Filipino citizenship by those intending to acquire the citizenship of another country or the reacquisition of Filipino citizenship for natural-born Filipinos who have previously lost their Filipino citizenship.

Those intending to retain or reacquire their citizenship must comply with certain requirements of the Act including an Oath of Allegiance to the Philippines. Currently, the complete guidelines for the implementation of the Act are being prepared by [the] authorities in Manila. As such, the Philippine Embassies and Consulates administer the Oath of Allegiance on condition that additional documents may be required based on the guidelines that would be adopted.

Please note, further, that the Philippine Constitution of 1987 defines Filipino citizens as:

1. Those who are citizens of the Philippines at the time of the adoption of this Constitution;
2. Those whose fathers *or* mothers are citizens of the Philippines;
3. Those born before January 17, 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority; and
4. Those who are naturalized in accordance with [the] law.

Citizens of the Philippines who marry citizens of other countries shall continue to be Filipino citizens, unless by their act or omission they are deemed, under the law, to have renounced it (10 Nov. 2003).

With reference to the specific information requested above, the Minister and Consul General provided the following answers:

- a. A woman born in the Philippines would be a Filipino citizen only if either of her parents is a Filipino. *(This should be verified as merely being born in the Philippines is not an assurance of Filipino citizenship.)*
- b. Inasmuch as she obtained her Indonesian citizenship in 1983, she is deemed to have lost her Filipino citizenship. She may reacquire her Filipino citizenship only if she complies with the requirements of the Citizenship Retention and Reacquisition Act of 2003.
- c. For her to reacquire her Filipino citizenship, she must show proof that she is a natural-born Filipino citizen prior to acquiring Indonesian citizenship. Her birth certificate, duly authenticated by the National Statistics Office (NSO) of the Philippines, would indicate this. Additionally, she may be required to further establish her identity through an old Philippine passport or other documents. She also has to show that she is already a citizen of another country by presenting her naturalization papers. These documents, an application for the administration of the oath of allegiance *(available at the Embassy)* and personal appearance before the administering officer are the initial requirements before the oath of allegiance is administered. As stated above,

additional documents may be required by the guidelines that would be formulated by authorities in Manila (Embassy 10 Nov. 2003).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Reference

Embassy of the Philippines, Ottawa. 10 November 2003. Correspondence sent by the Minister and Consul General.

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